1 2 3 4 5 6 7	Timothy J. Walton (State Bar No. 184292) LAW OFFICES OF TIMOTHY WALTON 801 Woodside Rd. Ste. 11 Redwood City, CA 94061 Phone: (650) 216-9800 Fax: (650) 618-8687 Email: cand.uscourts.gov@computercounsel.com Attorneys for Plaintiffs LIMO HOSTING, INC. and OLEG GRIDNEV	
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10	UNITED STATES DISTRICT COURT	
11	NORTHERN DISTRICT OF CALIFORNIA	
12	SAN FRANCISCO DIVISION	
13		
14	LIMO HOSTING, INC. et al.,	Case No.: 3:08 CV 02474 BZ
15	Plaintiffs,)	STIPULATION TO FILE AN AMENDED ANSWER TO
16	vs.	DEFENDANT'S COUNTERCLAIMS
17	MIKHAIL FIKS et. al.,	
18	Defendants.	
19	MIKHAIL FIKS, et al.,	
20		
21	Cross-Plaintiff,)	
22	v.)	
23	LIMO HOSTING, INC., et al.,	
24	Cross-Defendants.	
25		
	1	

For the purpose of settling and compromising a dispute over the content of Cross-Defendants, Plaintiffs Limo Hosting, Inc. (hereinafter "Limo Hosting") and Oleg Gridnev and Defendant Mikhail Fiks hereby stipulate and agree that Cross-Defendants may file an amended answer with the following changes:

- In answer to the paragraph 34 of Defendant's counterclaims: Cross-Defendant Oleg
 Gridnev admits the allegation in this Paragraph that he left a voicemail on Cross Complainant Fiks' answering machine but lacks information about the accuracy of Cross Complainant's transcription, and therefore denies that the voicemail is exactly as alleged.
- In answer to the paragraph 39 of Defendant's counterclaims: Cross-Defendants deny all
 the allegations in this Paragraph, except admit that William Sharp filed a police report.
 Cross-Defendants dispute the accuracy of the police report.
- In answer to the paragraph 40 of Defendant's counterclaims; Cross-Defendant Oleg
 Gridnev admits that he called Yogesh Kumar but denies that his message was harassing
 or threatening.
- 4. In answer to the paragraph 44 of Defendant's counterclaims: Cross-Defendant Oleg
 Gridnev admits that he published the statements mentioned in this Paragraph but denies
 the implication that he initiated the message posts at RipOffReport.com.
- 5. In answer to the paragraph 56 of Defendant's counterclaims: Cross-Defendant Oleg Gridnev admits that he registered the domain names alleged in this paragraph but denies that Cross-Complainant Fiks' FREE LIMO WEBSITE trademark had become distinctive or indicative of Cross-Complainant Fiks' services.

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1	6. In answer to the paragraph 57 of Defendant's counterclaims: Cross-Defendants admit to
2	creating web sites, but deny that such web sites are "nearly identical to those offered by
3	Fiks's Free Limo Website."
4	
5	
6	DATED this 26th day of March, 2009.
7	Presented by
8	Tresented by
9	
10	<u>/s/ Timothy J. Walton</u> Timothy J. Walton
11	Attorneys for Plaintiffs
12	
13	/s/ Margarita Calpotura
14	Margarita Calpotura Attorneys for Defendant
15	Attorneys for Defendant
16	
17	Upon review of the proposed changes to the answer to Cross-Complaint, and for good
18	cause, this Court orders that Cross-Defendants LIMO HOSTING, INC, and OLEG GRIDNEV
19	have ten days leave to file an Amended Answer.
20	IT IS SO ORDERED Dated: 3/27/2009 Dated: 3/27/2009
21	have ten days leave to file an Amended Answer. IT IS SO ORDERED Dated: 3/27/2009 Dated: 3/27/2009
22	Burney Tomerman Strike SO ORDERED BY
23	Judge of the Superior Court
24	District District District
25	
	DISTRICT OF CO